

VZCZCXRO3947
PP RUEHPA
DE RUEHAB #0402/01 1821523
ZNY CCCCC ZZH
P 011523Z JUL 09
FM AMEMBASSY ABIDJAN
TO RUEHC/SECSTATE WASHDC PRIORITY 5226
INFO RUEHZK/ECOWAS COLLECTIVE PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 0237
RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 ABIDJAN 000402

SIPDIS

E.O. 12958: DECL: 06/29/2019
TAGS: [PGOV](#) [PREL](#) [KDEM](#) [SOCI](#) [IV](#)
SUBJECT: COTE D'IVOIRE: GBAGBO REVIVES ROLE OF
CONSTITUTIONAL COUNCIL

REF: A) ABIDJAN 350

Classified By: Ambassador Wanda L. Nesbitt for Reasons 1.4 (b/d)

¶1. (C) Summary: Ambassador Badini (the Facilitator's representative in Abidjan) believes that Cote d'Ivoire is entering a critical phase as the identification process ends and compilation of the electoral list begins. He anticipates a hard fought battle among the political parties that could get very tense and even result in civil disturbances. In a June 26 conversation with Ambassador, Badini also expressed concern about recent statements by President Gbagbo regarding the role of the Constitutional Council, noting that he fears Gbagbo is laying the groundwork to justify a postponement of the election and to challenge UN certification of the election if the result is not favorable to the FPI. End Summary

POTENTIALLY TENSE MONTHS AHEAD

¶2. (C) Ambassador called on Amb. Badini on June 26 to exchange views on election preparations and progress on reunification. Ambassador told Badini that the consensus among OECD Ambassadors (who met informally on June 25) was that the presidential election probably would not take place as scheduled on November 29 due primarily to a lack of political will, but the delay will be attributed to technical and logistical problems. Badini thought it still possible to uphold the November 29 date but agreed that there was no room in the current electoral timeline for delays. He acknowledged with a chuckle Ambassador's observation that the Ivorian bureaucracy has failed to meet a single deadline established as part of the "sortie de crise" (crisis recovery) process. We agreed that the key element, however, is for the process to continue moving forward.

¶3. (C) Badini said he expects the next few months to be delicate and tense, as the political parties do battle over who will be included on the final electoral list. Badini noted with dismay the increased number of media reports alleging massive fraud, and speculated that this could complicate a rapid scrubbing of the list. (Note: For the past week or so, the FPI (Gbagbo's party) has ratcheted up accusations that the RDR (Alassane Ouattara's party) is deliberating enrolling "foreigners"; the RDR and the PDCI are now fighting back with accusations that the Minister of Interior ordered 250,000 blank birth certificates and has distributed them to people being paid to register and vote in favor of the FPI. Embassy cannot speak to the veracity of either accusation.) Badini stressed, however, that once an electoral list is established, there will be few credible obstacles remaining to justify a postponement of elections -- yet another reason to anticipate that the parties will fight hard over this last stage.

IMPORT OF RECENT GBAGBO SPEECHES

¶4. (C) At the conclusion of his trip to the west (June 7-20), President Gbagbo reminded the public in an interview given to the government newspaper "Fraternite Matin" that Cote d'Ivoire's Constitutional Council is charged with declaring the validity of the elections and proclaiming the final result. Gbagbo reiterated (for those who might have forgotten) that this same body must also confirm that conditions within the country permit elections to be held, and specified that one reason for his trip was to gather evidence to present to the council about conditions in the west. The clear implication was that the Constitutional Council could, if it chose, determine that conditions do not permit elections to be held in November, despite the fact that the CEI has already announced, and Gbagbo has signed a decree stipulating that elections will be held November 29.

¶5. (C) The more serious potential problem, in Badini's view, relates to UN certification of the election. He believes that Gbagbo turned the spotlight on the Constitutional Council to signal that an Ivorian body, not the UN, will have the final say on the results of Cote d'Ivoire's election. Badini was certain that Gbagbo's remarks were a response to SRSRG Choi's recent press conference (see ref A) on the certification process. Choi stated forthrightly that he would not permit the results to be contested once they had been certified by the UN. Badini and other observers believe that Gbagbo was furious over this public exclamation that the UN would have the final say on the results of Cote d'Ivoire's election. Ambassador agreed with Badini that the international community could be faced with a dilemma if the election results certified by the UN conflict with those of the

ABIDJAN 00000402 002 OF 002

Constitutional Council, but also noted that it will be difficult (if not impossible) for the parties to accept UN certification of the electoral list and other aspects of the process, and then reject the UN's assessment of the results.

¶6. (C) Comment: Badini's concern that the Constitutional Council could ultimately prove to be problematic is legitimate and one that we should keep on our radar screens. We believe it is important to note that President Gbagbo's actions reflect his long-standing determination to minimize the role of the UN in the elections. Gbagbo delivered remarks on May 29 at the UN Day celebration in which, to his credit, he acknowledged that Cote d'Ivoire's problems were caused by Ivorians and could only be solved by Ivorians. He also stated quite pointedly, possibly in response to Choi's press conference, that many people had deceived themselves about the nature of the crisis in Cote d'Ivoire, going so far as to believe that it could be solved by UN resolutions. He noted with satisfaction that after the individuals who occupy certain seats changed, (a not-so-subtle reference to former French president Chirac and the former UNSRSG in Abidjan), a much better understanding of the crisis in Cote d'Ivoire had emerged. Gbagbo welcomed the international community's role in "accompanying" the nation on the road to peace but made it clear that he was interested in nothing more expansive. End Comment

NESBITT